

FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951



GAU3724/P
#21/CPA
8/19/99
V. Sant

45 Rockefeller Plaza
Suite 2800
New York, New York
10111

Telephone
212 765-5070

Facsimile
212 258-2291

Web Site
www.fr.com

August 9, 1999

Attorney Docket No.: 07807/116001

Box CPA

Assistant Commissioner for Patents
Washington, DC 20231

This paper is a request for a continuation under 37 C.F.R. 1.53(d) of

Applicant:
Title:

Peter Bauer and Herbert Happe
METHOD AND APPARATUS FOR CUTTING
BODIES HAVING A NON-CIRCULAR CROSS
SECTION

RECEIVED
AUG 18 1999
TC 3700 MAIL ROOM

Prior U.S. application no: 08/659,046
Filing Date: 06/03/96

The prior application was complete as defined by 37 CFR 1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

The prior application was filed after June 8, 1995.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

Please enter the enclosed Preliminary Amendment.

The prior application is assigned of record to Synthes (U.S.A.), a Pennsylvania partnership, by virtue of an assignment submitted to the Patent and Trademark Office for recording on 06/03/96 at 8018/0237.

"EXPRESS MAIL" Mailing Label Number EI 37210023645

Date of Deposit AUGUST 9, 1999

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Valentin Figueroa
VALENTIN FIGUEROA

Initial Ref: 08/17/1999 SLUANG1 0012024300
Date/Number: 08/05/1999 08659046
Fee: 704 \$30.00 CR

08/17/1999 SLUANG1 00000090 08659046

01 08/17/99

760.00 CP

August 9, 1999

Page 2

This request includes 2 sheets, and the following:

Enclosures:

- Postcard
- Preliminary Amendment

The entire disclosure of the prior application is part of this application and is incorporated by reference.

Basic filing fee	790.00
Total claims in excess of 20 times \$22.00	0.00
Independent claims in excess of 3 times \$82.00	0.00
Fee for Multiple dependent claims	0.00
Total filing fee:	\$ 790.00

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

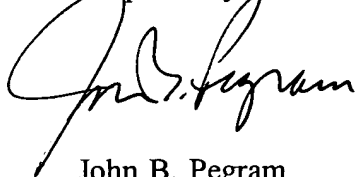
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 212/765-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

John B. Pegram
Fish & Richardson P.C.
45 Rockefeller Plaza
Suite 2800
New York, NY 10111

Respectfully submitted,



John B. Pegram
Reg. No. 25,198
Enclosures
55873.N11



Handwritten signature
PATENT
ATTORNEY DOCKET NO. 07807/116001
8/9/99
K. Hart

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bauer et al.
Serial No.: 08/659,046
Filed : 06/03/96
Title : METHOD AND APPARATUS FOR CUTTING BODIES HAVING A NON-CIRCULAR CROSS SECTION

Art Unit: 3724
Examiner: Dexter

Box CPA
Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the claims as follows:

- Cancel claims 6-8, 15 and 16.
- Add new claim 17.

RECEIVED
AUG 18 1999
TC 3700 MAIL ROOM

Sub 47
F1
8/1

--17. A hand-held tool for shearing by transverse forces a body having a non-circular cross-section by the application of torsional force, said tool comprising upper and lower discs, each of said discs having an upper side and a lower side, said upper disc having opposing cutting edges in the form of a fixed slot at its lower side and said lower disc having opposing cutting edges in the form of a fixed slot at its upper side, said sides directly touching each other at said edges, each of said discs having a handle attached thereto for rotating said discs counter to one another about a rotation axis to apply a torsional shearing force on the body in a plane transverse to the longitudinal axis of the body, said slots extending from the

"EXPRESS MAIL" Mailing Label Number EL372100236 US

Date of Deposit AUGUST 9, 1999
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

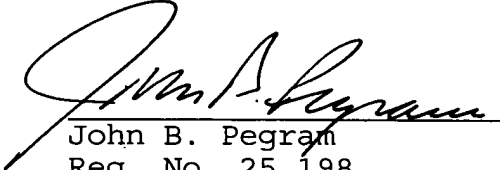
Valentin Figueroa

VALENTIN FIGUEROA

outer periphery of the respective discs and narrowing toward the center of the respective discs.--

The Examiner is asked to take this amendment into consideration when examining the application.

Respectfully submitted,


John B. Pegram
Reg. No. 25,198

Date: August 9, 1999

Fish & Richardson P.C.
45 Rockefeller Plaza
New York, NY 10111

Telephone: 212/765-5070
Facsimile: 212/258-2291
55871.N11